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T-168 P.002/002 F-872



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August 29, 2008

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VIA FACSIMILE

Honorable Denny Chin, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St., Room 1020
New York, NY 10007
Fax: (212) 805-7906

Re: EEOC v. Touro College, 07 CV 7760 (DC) (FM)

Dear Judge Chin:

EEOC has received notice by ECF (Doc. 17) that the Court has discontinued the above-captioned case subsequent to the August 27, 2008 court hearing during which the parties agreed to enter into a Consent Decree in this matter.

EEOC is concerned that the Court's Order of discontinuance will be in conflict with the terms of the Consent Decree, as the Decree provides that the Court maintain jurisdiction throughout the duration of the Decree. Therefore, EEOC respectfully requests that the Court reconsider its Order (Doc. 17), and requests that the Court not discontinue the case but rather retain jurisdiction over this action for the duration of this Decree. Thus, while the matter may be administratively closed after the Decree is signed and entered (which the parties anticipate being done September 2, 2008), it would not be dismissed or discontinued for the duration of this Decree. However, within thirty (30) days after the expiration of this Decree, EEOC or the parties would submit a Stipulation of Final Dismissal With Prejudice to the Court.

Thank you for your consideration.

Sincerely,

Lisa Sirkis
Lisa Sirkis
Supervisory Trial Attorney

cc: Paul F Millus (via facsimile)
Parisis G Filippatos (via facsimile)

The Court's 8/27/08 is modified
to the following extent:
Notwithstanding the dismissal of
the action, the Court retains
jurisdiction for the duration
of the Consent Decree to hear
any disputes, disagreements, or
questions of compliance.
SO ORDERED. *[Signature]* 8/29/08
MSJ